

Docket No.: 101896-0474
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Michael Mahoney et al.

Application No. 10/579,146

Confirmation No. 8927

Filed: May 12, 2006

Art Unit: 3775

For: **SYSTEMS AND METHODS FOR SPINAL
SURGERY**

Examiner: Larry E. Waggle, Jr.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent via EFS Web on the date shown below.

Dated: January 13, 2010 Signature: 

(Ronald E. Cahill)

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the publications listed on the attached PTO/SB08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the publications be made of record.

This Information Disclosure Statement is filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office

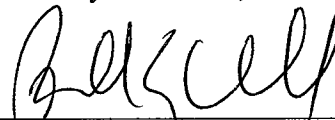
has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b). It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed publications.

The fee in the amount of \$180.00 is being charged by credit card via EFS Web, and the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-474.

Dated: January 13, 2010

Respectfully submitted,

By 

Ronald E. Cahill

Registration No.: 38,403

NUTTER MCCLENNEN & FISH LLP

Seaport West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2782

(617) 310-9782 (Fax)

Attorney for Applicant